

# Judge: Modern tests may

MEMPHIS, Tenn. (AP) - Modern technology exists that might prove once and for all if James Earl Ray's rifle killed Martin Luther King Jr., a judge said Thursday in a decision that keeps alive Ray's quest for a new trial.

The decision by Judge Joe Brown must now be reviewed by a state appeals court before he can rule on whether to allow the tests on the rifle and the bullet taken from Dr. King's body.

Ray, who pleaded guilty to Dr. King's 1968 slaying, reversed himself

almost immediately and has been requesting a trial ever since. He asked for the rifle tests in an attempt to take back his guilty plea and go to trial - a move supported in court by the widow of the slain civil rights leader.

"Even if no new light is shed on the facts concerning my husband's assassination, at least we and the nation can have the satisfaction of knowing that justice has run its course in this tragedy," Coretta Scott King told the judge.

Ray, who is serving a 99-year

prison sentence, is now 68 and suffering from serious liver disease, which his lawyers describe as terminal.

Mrs. King said her family has declined over the years to get involved in efforts to get a trial for Ray but his failing health requires that now.

"If Mr. Ray is denied a trial," she said, "our family and indeed the entire nation will also be denied the due process of law that is the birthright of every citizen."

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## shed light on King death

Ray contends that his rifle, identified for almost 30 years as the murder weapon, was not the one that killed Dr. King.

To rule on Ray's request, Judge Brown had to first decide if today's technology for such tests is better than it was in the late 1960s and 1970s when the rifle was last examined.

"All I'm trying to say is there appears to be scientific methodology that has a reasonable likelihood or is capable, let's put it that way, of resolving this issue," Judge Brown said.

Judge Brown approved Ray's request for new tests on the rifle in 1994 but was overturned by the appeals court. Because of that, any decisions he makes on Ray's petition must be looked at by the higher court. Judge Brown did not know when the appeals court would review his decision.

Conspiracy theorists have argued for years that Ray, a bungling, petty criminal, could not have pulled off the assassination alone. And their theories, some of which include allegations of government wrongdo-

ing, often note that authorities have never proven that Ray's gun was the murder weapon.

Ray contends the .30-06 Remington rifle found at the murder scene with his fingerprints on it was put there by murder conspirators trying to frame him.

Ray said he bought the rifle in Alabama and brought it to Memphis on instructions from a shadowy gun runner he knew only as Raoul. Authorities have never established that Raoul existed.